

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO et al.,

Debtors.¹

PROMESA

Title III

No. 17 BK 3283-LTS

(Jointly Administered)

ORDER REGARDING PRO SE ADJOURNED OMNIBUS
OBJECTIONS TO CLAIMS OF UNREPRESENTED CLAIMANTS

On March 13, 2023, the Court entered the *Order Granting Urgent Motion to Cancel the March 15–16, 2023 Omnibus Hearing* (Docket Entry No. 23796 in Case No. 17-3283), which cancelled the March 15, 2023 omnibus hearing and adjourned all remaining matters to the June 7-8, 2023 omnibus hearing. This order concerns the pending claim objections adjourned from the March 15, 2023 omnibus hearing with respect to claims on account of which responses have been submitted (formally or informally) by claimants who are not represented by counsel (collectively, the “Adjourned Pro Se Claim Objections”). The hearing on these Adjourned Pro Se Claim Objections will be held on **April 25-26, 2023, at 9:30 a.m. Atlantic Standard Time** (the “Claim Objection Hearing”).

¹ The Debtors in these Title III Cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (the “Commonwealth”) (Bankruptcy Case No. 17-BK-3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17-BK-3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17-BK-3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17-BK-3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17-BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority (“PBA”) (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

The Oversight Board is directed to provide notice for each hearing day of the Claim Objection Hearing, substantially in the form of the notices attached hereto as Exhibits A (in English) and B (in Spanish) (the “Hearing Notice”), to each of the claimants associated with the Adjourned Pro Se Claim Objections against whom the Oversight Board intends to prosecute a claim objection at the Claim Objection Hearing. Proceedings concerning a maximum of approximately fifteen (15) claimants may be noticed for 9:30 a.m. (AST) on each hearing date; proceedings concerning a maximum of approximately fifteen (15) claimants may be noticed for 10:30 a.m. (AST) on each hearing date; and proceedings concerning a maximum of approximately fifteen (15) claimants may be noticed for 11:30 a.m. (AST) on each hearing date. No additional claims will be addressed unless the Court has been notified and the relevant pleadings have been filed at least 72 hours in advance of the relevant Claim Objection Hearing.

To the extent that the Oversight Board intends to prosecute an Adjourned Pro Se Claim Objection with respect to a particular claim at the Claim Objection Hearing, the Oversight Board is directed to file, at least 14 days in advance of the relevant Claim Objection Hearing, (a) a reply in support of the Adjourned Pro Se Claim Objection, (b) any portions of the respondent’s response that were not filed on the docket, and (c) certified translations of any Spanish-language portions of the respondent’s response. The Oversight Board must also file, at least 14 days in advance of the Claim Objection Hearing, an informative motion identifying the Adjourned Pro Se Claim Objections, claimants, claims that will be the subject of the applicable Claim Objection Hearing, and whether the claimant is incarcerated. If the Oversight Board becomes aware that a claimant is incarcerated, the Oversight Board shall file a proposed order to produce the inmate-claimant via videoconference within 48 hours of notification to enable the Court to authorize remote participation in the hearing. Any notice of transfer pursuant to the *Order (A) Authorizing Alternative Dispute Resolution Procedures*, *(B) Approving Additional Forms of Notice*, and *(C) Granting Related Relief* (Docket Entry No. 12576) or the *Order (A) Authorizing Administrative Reconciliation of Claims*, *(B) Approving Additional Form of Notice*, and *(C) Granting Related Relief* (Docket Entry No. 12274) with respect to any respondent’s claim must be filed at least 14 days in advance of the Claim Objection Hearing.

The Oversight Board must submit two electronic hearing binders to the Court to swaindprcorresp@nysd.uscourts.gov by **April 18, 2023, at 12:00 p.m. (Atlantic Standard Time)**. Each binder shall correspond to the matters to be heard on one day of the Claim Objection Hearing and shall consist of one consolidated, bookmarked PDF containing CM/ECF-stamped courtesy copies of all the pleadings relevant to that day of the Claim Objection Hearing. The binders shall be assembled to list the pleadings sequentially based on the 9:30 a.m., 10:30 a.m., or 11:30 a.m. time block to correspond to the speakers scheduled to participate in the hearing.

Attorneys participating in the Claim Objection Hearings will be heard remotely via Zoom and/or telephone pursuant to a procedures order that will be issued prior to the Claim Objection Hearing. The Oversight Board must make a certified interpreter available at the United States District Court for the District of Puerto Rico, 150 Carlos Chardón Street, Federal Building, San Juan, Puerto Rico 00918-1767 (the “Courthouse”) to assist Pro Se claimants during the Claim Objection Hearing, and at least one attorney representing the Oversight Board must also be present at the Courthouse for the Claim Objection Hearing with local counsel. The Oversight Board must confer with the Clerk’s Office of the United States District Court for the

District of Puerto Rico (the “Clerk’s Office”) and follow any instructions provided by the Clerk’s Office concerning the operation of the Claim Objection Hearing. The undersigned will preside from the New York courtroom by video connection.

To the extent the Oversight Board has not already done so, the Oversight Board must file notices of presentment seeking entry of orders sustaining the portions of the Adjourned Pro Se Claim Objections to which no responses (formal or informal) have been received. After the conclusion of the Adjourned Pro Se Claim Objection Hearing, the Oversight Board must submit comprehensive proposed orders reflecting the dispositions of the relevant Adjourned Pro Se Claim Objections, with exhibits identifying separately the claims as to which objections are sustained and those, if any, as to which the objections are overruled or adjourned.

SO ORDERED.

Dated: March 22, 2023

/s/ Laura Taylor Swain
LAURA TAYLOR SWAIN
United States District Judge